

WILLIAM F. SAVINO
Partner
wsavino@damonmorey.com
716.858.3790



November 21, 2013

Hon. Robert D. Drain
United States Bankruptcy Court
300 Quarropas Street, Room 248
White Plains, New York 10601

VIA FEDERAL EXPRESS OVERNIGHT

Re: IN RE ROBERT S. ROMANOFF, Case No. 13-23897-RDD

Dear Judge Drain:

We are co-counsel for 55 Gans Lender LLC ("Gans Lender"). Gans Lender is a creditor which holds a \$385,507.04 judgment against the debtor, Robert Romanoff, awarded by Justice O. Peter Sherwood in a foreclosure action, 55 Gans Lender LLC v. GHC NY Corp. ("GHC") et al., Index No. 850024/2011. The judgment was obtained by motion of the Court-appointed receiver against the Robert S. Romanoff based on unpaid use and occupancy or rent for occupying the premises located at 55 Gansevoort Street, New York, New York (GHC's property subject to the foreclosure action).

We wish to inform the Court of two matters which may warrant a transfer of Robert Romanoff's bankruptcy case to Bankruptcy Judge Robert E. Gerber in Manhattan.

First, Robert Romanoff (purporting to act as a representative of GHC but in fact as only one of two-trustees of a Trust into which the stock of parent corporation of GHC had been conveyed), unilaterally filed a Chapter 11 Bankruptcy in the United States Bankruptcy Court for the Southern District of New York on September 25, 2012, Case No. 12-01923 (REG). The case was assigned to Judge Gerber. Robert Romanoff then caused the pending foreclosure action to be removed to the Bankruptcy Court within days of a hearing by Justice Sherwood adjudicating Robert Romanoff's liability for unpaid rent and shortly after a proposed Order thereon had been submitted to State Supreme Court.

There was considerable motion practice before Judger Gerber including motions to dismiss the Chapter 11 case filed by Gans Lender as well as by the President and sole director of GHC, Gerald Romanoff (Robert Romanoff's father). Robinson Brog Leinwand Green Genovese & Gluck P.C. (the same law firm that now represents Robert Romanoff) appeared as counsel to the purported corporate debtor, GHC. Robert Romanoff conceded that he paid the legal fees of the Robinson Brog firm.

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In a lengthy decision rendered on December 6, 2012, Judge Gerber granted the motion to dismiss GHC's bankruptcy filing as a bad faith filing and as filed without the requisite corporate authority. Judge Gerber also remanded back to Justice Sherwood the foreclosure action against GHC. A copy of the Notice of Dismissal of the Bankruptcy Case as well as the Order Dismissing the Case, the Order Granting Motion to Remand, and the transcript of the December 6, 2012 hearing (which was docketed in the foreclosure action) are annexed hereto as Exhibit 1.

Thus, while GHC's bankruptcy case is no longer pending, Justice Gerber is fully familiar with the Robert Romanoff litigation.

Second, the Petition lists the "street address" of Robert Romanoff as 76 Davis Avenue, Rye, New York but lists the County of Residence as New York and the mailing address as 302A West 12th Street, Suite 118, New York, New York.

The 76 Davis Avenue, Rye, New York property is an investment property rented to tenants. Robert Romanoff's bankruptcy case was filed two days before the scheduled sheriff's auction sale of 76 Davis Avenue on the judgment obtained by Gans Lender against Robert Romanoff. Schedule G-Executory Contracts and Unexpired Lease lists James Peterson and Laurie Levine as lessees of Robert Romanoff's Rye property. In addition, an apartment lease at 525 East 72d Street is listed as an unexpired lease. The 302A West 12th Street mailing address is, according to the New York City Sheriff who attempted to serve an execution at that location, only a mail drop. Robert Romanoff's residence is 525 East 72d Street, New York, New York in New York County.

Thus, in light of the facts that Justice Gerber has extensive familiarity with the Robert Romanoff litigation and that Robert Romanoff has no residence in Westchester County, a transfer to Justice Gerber in Manhattan may be warranted under the circumstances.

Respectfully,

DAMON MOREY LLP

By s/William F. Savino
William F. Savino

WFS/bt
encl.

cc: Mitchell Green, Esq., Robinson Brog Leinwand Green Genovese & Gluck P.C.
United States Trustee